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Teruyuki Maruyama

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EXAMINER

LAI, MICHAEL C

ART UNIT

PAPER NUMBER

2457

NOTIFICATION DATE

DELIVERY MODE

04/15/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/665,347	Applicant(s) MARUYAMA, TERUYUKI	
	Examiner MICHAEL C. LAI	Art Unit 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24, 42-48 and 70-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24, 42-48 and 70-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/10/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to amendment filed on 2/27/2009.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/27/2009 has been entered.

Response to Amendment

3. The examiner has acknowledged the amended claims 1, 3-6, 9, 11-12, 14, 17-19, 21-24, 42-43, 46-48, and new claims 70-75. Claims 1-24, 42-48, and 70-75 are pending.

Response to Arguments

4. Applicant's arguments filed 2/27/2009 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that: A) The specification clearly discloses that the controller 1300 includes the "parts," as defined in Claims 1, 18, and 42. B) The '786 patent does not disclose that the manager 110 is configured to control receipt of a process request that includes a command to retrieve target information from an image forming apparatus connected to the Web service providing apparatus via the communication network. C) The '786

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patent does not disclose that the agent 106, or the web server 102, is configured to control, in response to an instruction from the server processing part, acquisition of target information designated by the process request (including a command to retrieve target information from an image forming apparatus connected to the Web service providing apparatus via the communication network) from the image forming apparatus that manages the target information based on a first processable condition.

In response to A) The controller 1300 depicted in FIG. 2 and described in pages 60-62 of the original specification as “The controller 1300 comprises ASIC 1301, MEM-C 1302, HDD (Hard Disk Drive) 1303, CPU (Central Processing Unit) 1304, NB (North Bridge) 1305, MEM-P 1306, SB (South Bridge) 1307 and AGP (Accelerated Graphics Port) 1308...” is for the image forming apparatus 1200, not for the Web service providing apparatus as claimed in claims 1, 18, and 42. In fact, most drawings and all detailed description of the preferred embodiments are for the image forming apparatus. The phrase “Web service providing apparatus” cannot be found anywhere in the Detailed Description of the Preferred Embodiments section of the original specification. As such, the limitations “A Web service providing apparatus, comprising: a controller including a server processing part... a condition acquisition control part... and a service providing part...” are not supported in the specification and the 112 first paragraph rejection for claims 1-11, 18-21, and 42-45 is sustained.

In response to B) The '786 patent disclose that the manager 110 can receive requests to open a connection for a console 116, or to close a connection, or for updated information for a particular component, or requesting that updates for that component be discontinued, or for certain events, or for the current list of system components in the manager's 110 managed object database, or to add or delete a component, or to read or set properties associated with a component, or to add, delete, or modify data in the managed object database 112 (see column 21, lines 14-24). Besides, claim 1 and all other claims are replete with intended use recitations ("configured to", see 112 second paragraph rejection below). The '786 patent indeed meets the limitation of "configured to control receipt of a process request that includes a command to..."

In response to C) It is unclear what is processable and by what in the limitation (see 112 second paragraph rejection below). This renders the limitation indefinite.

Thus, in view of such and additional 112 second paragraph rejections below, the rejection is sustained as follows:

Specification

5. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

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6. The incorporation of essential material in the specification by reference to an unpublished U.S. application, foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference, if the material is relied upon to overcome any objection, rejection, or other requirement imposed by the Office. The amendment must be accompanied by a statement executed by the applicant, or a practitioner representing the applicant, stating that the material being inserted is the material previously incorporated by reference and that the amendment contains no new matter. 37 CFR 1.57(f).

Claim Objections

7. Claim 1 is objected to because of the following informalities: The comma between the terms “apparatus” and “connected” in line 4 should be removed.
8. Claim 72 is objected to because of the following informalities: In line 2, “corresponds” should be “corresponding to”.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 1-24, 42-48, and 70-75 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s),

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at the time the application was filed, had possession of the claimed invention.

These claims are repeated in the Summary of the Invention section of the specification, without further providing more detailed description. The drawings and the Detailed Description of the Preferred Embodiments section of the specification do not mention or describe claimed invention, Web service providing apparatus, at all. As a result, the specification does not support claimed invention.

11. Claims 1-11, 18-21, 42-45, and 70-75 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The controller 1300 depicted in FIG. 2 and described in pages 60-62 of the original specification as “The controller 1300 comprises ASIC 1301, MEM-C 1302, HDD (Hard Disk Drive) 1303, CPU (Central Processing Unit) 1304, NB (North Bridge) 1305, MEM-P 1306, SB (South Bridge) 1307 and AGP (Accelerated Graphics Port) 1308...” is for the image forming apparatus 1200, not for the Web service providing apparatus as claimed in claims 1, 18, and 42. In fact, most drawings and all detailed description of the preferred embodiments are for the image forming apparatus. The phrase “Web service providing apparatus” cannot be found anywhere in the Detailed Description of the

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Preferred Embodiments section of the original specification. As such, the limitations “A Web service providing apparatus, comprising: a controller including a server processing part... a condition acquisition control part... and a service providing part...” are not supported in the specification.

All dependent claims (2-11, 19-21, 43-45, 70, 72, 74) are rejected also due to the dependency.

For new claims 70-75, there is no support in the original specification for claimed subject matters “target information type”, “target information type determination part”, and “target information type determination step”.

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 1-24, 42-48, and 70-75 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

The claims are replete with intended use recitations. The claim does not require anything new in that the limitations are “adapted to”, “configured to”, “according to”, “operable to”, etc. perform steps that practically any computer can be configured to perform. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and

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the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. Applicant failed to specifically point out any further contentions and thus, failed to claim the subject matter which applicant regards as the invention.

14. Claims 1, 3, 11, 19, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "based on a first processable condition" in line 14. It is unclear what is processable and by what in the limitation.

Claim 1 recites the limitation "perform the requested process on the target information" in lines 17-18. It is unclear what the target information has to do with the performing in the limitation.

Claim 1 recites the limitation "send a result of the process" in line 18. It is unclear what "a result of the process" really means in the limitation.

Claim 3 recites the limitation "the management apparatus" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "a third control part" in line 5. Claim 11 depends on claim 1, not claim 5. There is insufficient antecedent basis for this limitation in the claim. It is unclear where the first and second control parts are.

Claim 11 recites the limitation "the client processing part" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "wherein the service providing part is configured to execute the process requested by the requesting apparatus via the server processing part based on the attribute information " in lines 8-9.

Claim 14 recite the limitation "The Web service providing apparatus as claimed in claim 1, image forming apparatus, and a terminal connected to each other via the communication network". The limitation is incomplete and does not make any sense.

Claim 15 recite the limitation "wherein the communication network is one of a network communication line including a wireless LAN, a serial communication line including an infrared communication, and a parallel communication line". A communication network cannot be a communication line. This limitation does not make any sense.

Claim 19 recites the limitation "the processing apparatus" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the processing apparatus" in lines 7-8. There is insufficient antecedent basis for this limitation in the claim.

Applicant is reminded of other similar 112 second paragraph issues in other claims.

Claim Rejections - 35 USC § 101

15.35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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16. Claims 1-11, 18-21, 42-45, 70, 72, and 74 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Each of the claimed pieces of claims 1, 18, and 42 are just software. The claims are software per se based on the disclosure since such claims lacking "hardware." This is evidenced by the limitation recited in claim 2, lines 3-4, "a program including the condition acquisition control part and the service providing part". The controller 1300 depicted in FIG. 2 and described in pages 60-62 of the original specification as "The controller 1300 comprises ASIC 1301, MEM-C 1302, HDD (Hard Disk Drive) 1303, CPU (Central Processing Unit) 1304, NB (North Bridge) 1305, MEM-P 1306, SB (South Bridge) 1307 and AGP (Accelerated Graphics Port) 1308..." is for the image forming apparatus 1200, not for the Web service providing apparatus as claimed in claims 1, 18, and 42. Claims 2-11, and 70 depend on claim 1. Claims 19-21, and 72 depend on claim 18. Claims 43-45, and 74 depend on claim 42. The claims are being rejected as non-statutory as directed to a form of software rather than a patent-eligible machine, manufacture, process or composition of matter.

Claim Rejections - 35 USC § 102

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

18. Claims 1-14, 17-24, 42-48, and 70-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamane et al. (US 6,317,786 B1, hereinafter Yamane).

Regarding claim 1, Yamane discloses a Web service providing apparatus, comprising:

a controller including

a server processing part configured to control receipt of a process request for a process from a requesting apparatus connected to the Web service providing apparatus via a communication network and transmission of a process response corresponding to the process request to the requesting apparatus in accordance with a predetermined protocol, the process request including a command to retrieve target information from an image forming apparatus connected to the Web service providing apparatus via the communication network [Manager FIG. 1 and col. 16, lines 19-31; col. 21, lines 14-24];

a condition acquisition control part configured to control, in response to an instruction from the server processing part, acquisition of the target information designated by the process request from the image forming apparatus that manages the target information based on a first processable condition [col. 9, lines 22-37]; and

a service providing part configured to perform the requested process on the target information and to send a result of the process to the server processing part [col. 5, lines 6-28, application].

Regarding claim 2, Yamane further discloses wherein the controller includes a processor configured to execute

a program including the condition acquisition control part and the service providing part [Agent FIG. 1 and col. 9, lines 22-37];

a control service managing a hardware resource used in the process [Agent, col. 11 Table 1]; and

an operating system controlling the program and the control service [col. 9, lines 22-24].

Regarding claim 3, Yamane further discloses wherein the controller further includes a client processing part configured to control, in response to an instruction issued by the condition acquisition control part, transmission of a process request to the image forming apparatus and receipt of a process response from the management apparatus in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14 line 26 through col.16 line 17].

Regarding claim 4, Yamane further discloses wherein the condition acquisition control part comprises;

a sequence control part configured to control a sequence of processes to acquire a second processable condition regarding the target information from the image forming apparatus and internally acquire a third processable condition regarding the target information in the Web service providing

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apparatus [col. 9 line 63 through col. 12 line 20, Agent interaction with Manager]; and

a condition determination part configured to determine the first processable condition based on the second processable condition and the third processable condition acquired by the sequence control part [col. 12 line 21 through col. 14 line 25, Agent interaction with Web Server Interface].

Regarding claim 5, Yamane further discloses wherein the sequence control part comprises:

a first control part configured to control the client processing part to acquire the second processable condition from the image forming apparatus by sending a process request for the second processable condition to the image forming apparatus [col. 9 line 63 through col. 10 line 28];

a second control part configured to control the client processing part so as to acquire the third processable condition from the Web service providing apparatus by internally issuing a process request for the third processable condition to the server processing part [col. 10 lines 29-45];

a determination instruction part configured to cause the condition determination part to make the determination based on the second processable condition and the third processable condition [col. 12 lines 14-45]; and

an information acquisition part configured to acquire the target information from the image forming apparatus in accordance with the first processable condition determined by the condition determination part [col. 13 line 19 through col. 14 line 25].

Regarding claim 6, Yamane further discloses wherein the client processing part comprises:

a process request creation part configured to, in response to an instruction issued by the sequence control part, create a process request, which is to be sent to the image forming apparatus, corresponding to the instruction in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49]; and

a process response interpretation part configured to interpret a process response, which is received from the image forming apparatus, corresponding to the process request and to inform a result of the interpretation to the sequence control part [col. 13, lines 38-67, Agent interface with Web Server].

Regarding claim 7, Yamane further discloses wherein the service providing part comprises a service execution part configured to execute the process corresponding to the process request received from the requesting apparatus or a process request that is internally created [col. 5, lines 6-28, application].

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Regarding claim 8, Yamane further discloses wherein the server processing part comprises:

a process request interpretation part configured to interpret the process request to request the process on the target information in accordance with the predetermined protocol [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process response creation part configured to create a process response to indicate a result of the process in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 9, Yamane further discloses wherein the process request interpretation part comprises:

a determination part configured to determine whether the process request is to acquire the target information from the image forming apparatus [col. 8, lines 9-50]; and

a notification part configured to inform the condition acquisition control part of the process request based on a result of the determination made by the determination part [col. 8 line 51 through col. 9 line 20].

Regarding claim 10, Yamane further discloses wherein the process response creation part comprises a control result creation part configured to create a process response to indicate a result of the control of the condition acquisition

control part in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 11, Yamane further discloses wherein the condition acquisition control part comprises:

- an attribute information acquisition part configured to acquire attribute information regarding the target information from the image forming apparatus [col. 9 line 63 through col.10 line 5]; and

- a third control part configured to cause the client processing part to internally issue the process request for the process on the target information to the client processing part based on the attribute information [col. 10 lines 46-67],

- wherein the service providing part is configured to execute the process requested by the requesting apparatus via the server processing part based on the attribute information.

Regarding claim 12, Yamane further discloses a display part, the display part comprising:

- a display part including

- a first display part configured to display a list of selectable apparatuses that a user is allowed to select among apparatuses connected via the communication network [FIG. 6 and col. 21, lines 34-49];

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a second display part configured to, when the user selects a desired apparatus from the list of apparatuses, display a list of information items managed by the image forming apparatus [FIG. 7 and col. 21, lines 49-52]; and

an apparatus determination part configured to, when the user designates a desired information item from the list of information items and the desired apparatus from the list of selectable apparatuses, determine the designated apparatus as a processing apparatus to perform the process [col. 20 line 50 through col. 21 line 33].

Regarding claim 13, Yamane further discloses wherein the second display part is configured to display the information items in a reduced size on the display part [FIG. 7 vs. FIG. 6].

Regarding claim 14, Yamane further discloses image forming apparatus and a terminal connected to each other via the communication network [col. 8 line 51 through col. 9 line 2].

Regarding claim 17, Yamane discloses a method of providing a Web service for a Web service providing apparatus, the method comprising:

a server processing step of controlling receipt of a process request for a process from a requesting apparatus, connected to the Web service providing apparatus via a communication network, and transmission of a process response corresponding to the process request to the requesting apparatus in accordance with a predetermined protocol, the process request including a

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command to retrieve target information from an image forming apparatus connected to the Web service providing apparatus via the communication network [Manager FIG. 1 and col. 16, lines 19-31; col. 21, lines 14-24];

a condition acquisition control step of controlling, corresponding to an instruction from the server processing step, acquisition of the target information designated by the process request from the image forming apparatus that manages the target information based on a first processable condition [Agent FIG. 1 and col. 9, lines 22-37]; and

a service providing step of performing the requested process on the target information and informing the server processing step of a result of the process [col. 5, lines 6-28, application].

Regarding claim 18, Yamane discloses a Web service providing apparatus, comprising:

a controller including

a service providing part configured to manage target information and to provide the target information to an image forming apparatus, which requests the target information based on a process request including a command to retrieve the target information from the Web service providing apparatus and performs a process on the target information, in accordance with a first processable condition received from the image forming apparatus [col. 5, lines 6-28, application];

a process request interpretation part configured to interpret the process request to request the process in accordance with a predetermined protocol and to inform the service providing part of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process response creation part configured to create a process response to indicate a result of the process in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 19, Yamane further discloses wherein the service providing part comprises a processable condition providing part configured to, in response to receipt of a process request to acquire a second processable condition with respect to the processing apparatus, send a process response to indicate the second processable condition in accordance with the predetermined protocol, and after the transmission of the process response to indicate the second processable condition, the service providing part being configured to provide the target information to the image forming apparatus in accordance with the first processable condition received from the image forming apparatus [col. 5, lines 6-28, application].

Regarding claim 20, Yamane further discloses:

a process request creation part configured to create the process request to request the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface]; and

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a process response interpretation part configured to interpret the received process response corresponding to the process request [col. 13, lines 38-67, Agent interface with Web Server].

Regarding claim 21, Yamane further discloses a display part, the display part comprising;

A display part including

a first display part configured to display a list of selectable apparatuses that a user is allowed to select among apparatuses connected via a communication line [FIG. 6 and col. 21, lines 34-49];

a second display part configured to, when the user selects a desired apparatus from the list of selectable apparatuses, display a list of information items managed by the selected apparatus [FIG. 7 and col. 21, lines 49-52];

and

an apparatus determination part configured to, when the user designates a desired information item from the list of information items and the desired apparatus from the list of selectable apparatuses, determine the designated apparatus as the image forming apparatus [col. 20 line 50 through col. 21 line 33].

Regarding claim 22, Yamane discloses a method of providing a Web service for a Web service providing apparatus, the method comprising:

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a service providing step of managing target information and providing the target information to an image forming apparatus, which requests the target information based on a process request including a command to retrieve the target information from the Web service providing apparatus and performs a process on the target information, based on a first processable condition received from the processing apparatus [col. 5, lines 6-28, application],

a process request interpretation step of interpreting the process request to request the process in accordance with a predetermined protocol and informing the service providing step of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process response creation step of creating a process response to indicate a result of the process in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 23, Yamane discloses a terminal, comprising:

a display unit;

a process request creation part configured to create a process request to cause a first image forming apparatus to acquire target information managed by a second image forming apparatus from the second image forming apparatus and perform a process on the target information in accordance with a predetermined protocol, the process request being transmitted to the first image forming apparatus and including a command to retrieve target

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information from the second image forming apparatus, wherein the first image forming apparatus, the second image forming apparatus, and the terminal are connected to each other via a communication network [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation part configured to interpret a process response corresponding to the process request and to acquire a result of the process performed by the first image forming apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control part configured to display the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 24, Yamane discloses a computer-readable storage medium having embedded therein instructions, which when executed by a processor, cause a terminal to perform a method, comprising:

a process request creation step of creating a process request to request a first image forming apparatus to acquire target information managed by a second image forming apparatus from the image forming second apparatus and perform a process on the target information in accordance with a predetermined protocol, the process request being transmitted to the first image forming apparatus and including a command to retrieve target information from the second image forming apparatus, wherein the first image forming apparatus, the second image forming apparatus, and the terminal are

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connected to each other via a communication network [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation step of interpreting a process response corresponding to the process request and acquiring a result of the process of the first image forming apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control step of displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 42, Yamane discloses a web service providing apparatus, comprising:

a controller including

a service providing part configured to perform, in response to a process request, a process on target information received from an image forming apparatus that manages the target information in accordance with a first processable condition and to provide a result of the process to the forming apparatus, the process request including a command to retrieve the target information from the image forming apparatus [col. 5, lines 6-28, application];

a process request interpretation part configured to interpret the process request for the process in accordance with a predetermined protocol and to inform the service providing part of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

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a process request creation part configured to create a process response to indicate a result of the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface].

Regarding claim 43, Yamane further discloses wherein the service providing part comprises a processable condition providing part configured to, in response to receipt of a process request to acquire a second processable condition with respect to the image forming apparatus, send a process response to indicate the second processable condition in accordance with the predetermined protocol, and after the transmission of the second processable condition, the service providing part being configured to provide a result of the process on the target information received from the image forming apparatus in accordance with the first processable condition [col. 5 line 29 through col. 7 line 28].

Regarding claim 44, Yamane further discloses:

a process request creation part configured to create the process request for the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface]; and

a process response interpretation part configured to interpret the received process response corresponding to the process request [col. 13, lines 38-67, Agent interface with Web Server].

Regarding claim 45, Yamane further discloses a display part, the display part including:

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a first display part configured to display a list of selectable apparatuses that a user is allowed to select among apparatuses connected via the communication line [FIG. 6 and col. 21, lines 34-49];

a second display part configured to, when the user selects a desired apparatus from the list of selectable apparatuses, display a list of information items managed by the selected apparatus [FIG. 7 and col. 21, lines 49-52]; and

an apparatus determination part configured to, when the user designates a desired information item from the list of information items and the desired apparatus from the list of selectable apparatuses, determine the designated apparatus as a processing apparatus [col. 20 line 50 through col. 21 line 33].

Regarding claim 46, Yamane discloses a method of providing a Web service for a Web service providing apparatus, the method comprising:

a service providing step of performing, in response to a process request, a process on target information received from an image forming apparatus managing the target information in accordance with a first processable condition and providing a result of the process to the image forming apparatus, the process request including a command to retrieve the target information from the image forming apparatus [col. 5, lines 6-28, application];

a process request interpretation step of interpreting the process request to request the process in accordance with a predetermined protocol and

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informing the service providing step of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process request creation step of creating a process response to indicate a result of the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface].

Regarding claim 47, Yamane discloses a terminal, comprising:

A display unit;

a process request creation part configured to create a process request to cause a first image forming apparatus to perform a process on target information managed by a second image forming apparatus by sending the target information to the first image forming apparatus in accordance with a predetermined protocol, the process request being transmitted to the first image forming apparatus and including a command to retrieve the target information from the second image forming apparatus, wherein the first image forming apparatus, the second image forming apparatus, and the terminal are connected to each other via a communication network [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation part configured to interpret a process response corresponding to the process request and to acquire a result of the process performed by the first image forming apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

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a display control part configured to display the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 48, Yamane discloses a computer-readable storage medium having embedded therein instructions, which when executed by a processor, cause a terminal to perform a method comprising:

a process request creating step of creating a process request to cause a first image forming apparatus to perform a process on target information managed by a second image forming apparatus by sending the target information to the first image forming apparatus, the process request being transmitted to the first image forming apparatus and including a command to retrieve the target information from the second image forming apparatus, wherein the first image forming apparatus, the second image forming apparatus, and the terminal are connected to each other via a communication network [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation step of interpreting a process response corresponding to the process request and acquiring a result of the process performed by the first image forming apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control step of displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 70, Yamane further discloses a target information type determination part configured to determine the first processable condition corresponding to a target information type that is processable by the image forming apparatus and the Web service providing apparatus [col. 19 line 62 through col. 20 line 40].

Regarding claim 71, Yamane further discloses a target information type determination step of determining the first processable condition corresponding to a target information type that is processable by the image forming apparatus and the Web service providing apparatus [col. 19 line 62 through col. 20 line 40].

Regarding claim 72, Yamane further discloses wherein the first processable condition corresponds a target information type that is determined, in the image forming apparatus, to be processable by the image forming apparatus and the Web service providing apparatus [col. 19 line 62 through col. 20 line 40].

Regarding claim 73, Yamane further discloses wherein the first processable condition corresponds to a target information type that is determined, in the image forming apparatus, to be processable by the image forming apparatus and the Web service providing apparatus [col. 19 line 62 through col. 20 line 40].

Regarding claim 74, Yamane further discloses a target information type determination part configured to determine the first processable condition corresponding to a target information type that is processable by the image forming apparatus and the Web service providing apparatus [col. 19 line 62 through col. 20 line 40].

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Regarding claim 75, Yamane further discloses a target information type determination step of determining the first processable condition corresponding to a target information type that is processable by the image forming apparatus and the Web service providing apparatus [col. 19 line 62 through col. 20 line 40].

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamane as applied to claim 1, and in view of Butterworth et al. (US 2004/0133656 A1, hereinafter Butterworth).

Regarding claim 15, Yamane discloses the claimed invention except for wherein the communication network is one of a network communication line including a wireless LAN, a serial communication network including an infrared communication, and a parallel communication line. Butterworth teaches a networked computer environment 300 that supports a distributed web service. The computer network 300 includes a client computer 302 connected to a communication link 304, which may be any wired or wireless communication link [FIG. 3 and para. 0006]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Butterworth's

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teaching into Yamane's method for the purpose of having communication lines like a wireless LAN, a serial communication line, or a parallel communication line in the system such that the users can communicate with the web service provider to obtain services.

Regarding claim 16, Yamane discloses the claimed invention except for wherein the predetermined protocol is a Simple Object Access Protocol.

Butterworth teaches that messages between clients and web services may use SOAP (Simple Object Access Protocol) [para. 0012]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Butterworth's teaching into Yamane's method for the purpose of defining a uniform way of passing XML-encoded data and defining a way to perform remote procedure calls using HTTP (or another transport protocol) as the underlying communication protocol by using a SOAP, thereby increasing the opportunities for reuse, as the service places essentially no constraints on the platform, language, or location of its clients [para. 0012].

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially

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teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
10APR2009

/YVES DALENCOURT/
Primary Examiner, Art Unit 2457